

## IMPEACHMENT.

## Trial of President Andrew Johnson for High Crimes and Misdemeanors.

## Additional Testimony for the Prosecution.

## Examination of General Emory, Colonel Wallace, Congressman Ferry, William E. Chandler and Charles A. Tinker.

## Probability of the Testimony for the Prosecution Being Closed To-Day.

WASHINGTON, April 2, 1868.

There was nothing particularly enlivening in the impeachment proceedings to-day. The usual audience, composed of almost the identical persons who have attended every day since the inauguration of the drama, occupied the galleries. The back seats were poorly patronized, and, in theatrical parlance, the house might be pronounced thin. The feminine element preponderated, as hitherto, but with less of a bright and brilliant exterior than was presented on the sunny opening day, last Monday. General Emory, the witness from Delaware, whose rustic humor diverted the dulness of the court yesterday, was expected by many to make a reappearance, and those who missed the comic part of the performance yesterday afternoon hoped to be regaled by something equally good to-day, provided the Solon Shingle of Delaware was introduced on the boards a second time.

At the instance of the Attorney General the factious Karsner was recalled, and the known of his humor having gone abroad everybody looked forward to a good old time, just as enjoyable as the performance of "Everybody's Lawyer" and "The Barril of Apple Sauce." But Karsner got no chance to gratify the eager fancy of the expectant listeners, and in consequence there was no outburst of mirth, though the predisposition of the audience to laugh was so great that the least expression bordering on the serio-comic would have brought down the house.

Mr. Stanton, who had called on Secretary Stanton after his interview with General Thomas, and of course the inference was that he detailed to the functionary of the War Department the character of his conversation with the Secretary *ad interim*.

Mr. Ferry, from Michigan, member of the House, testified in a somewhat similar manner to previous witnesses the nature of the interview between General Thomas and Stanton, and then General Emory made his appearance as the grand part of the tenth article of impeachment. Emory has ordinarily a pretty bluff, vigorous voice, but on this occasion he spoke his part in a wonderfully subdued tone, so much so that several anxious Senators had to request of him to elevate his enunciation to a higher key, which he managed to do in the end after considerable effort. There was nothing new or striking in General Emory's evidence beyond the statement that he recommended to the President the retention of more troops here in Washington, on account of the threatening aspect of the militia in Maryland, from which it might be inferred that Emory was apprehensive of a raid on the capital by the chivalrous organizations of the adjutant State.

General Butler has monopolized all the honor and glory of conducting the drama so far, and has literally been the manager of the affair, to the exclusion of the ambitious Logan and the good-natured Williams and the practically defunct Thad. Stevens. Butler has strutted his hour on the stage with a prominence and self-assertion eminently characteristic. He has handled the witnesses most cavalierly, and conducted them generally just as he pleased. To-day, however, he caught a Tartar in the person of Colonel Wallace, of the Twelfth Infantry. The Colonel is the very best ideal of a soldier, straight as a ramrod, well built, and while giving his testimony stood as if on parade. Butler questioned him as to the business he had with Colonel Moore, the President's Private Secretary, on the night of the 22d of February. Wallace replied that Colonel Moore sent for him to say that his nomination for brevet promotion had been set aside by the Senate. Butler said that he had testified before the committee that Moore told him he was rejected by the Senate, and he wished to know why he had changed his expression now and used the phrase "set aside." Wallace, with an immovable countenance, looked at a moment sternly at Butler, and then, in a clear, ringing response, said he was at perfect liberty to use whatever phraseology he pleased. His manner was an unmistakable rebuff of Butler's impudent catechetical style of examining witnesses, and was highly appreciated by the audience, who felt something like an impulse to applaud.

William E. Chandler, recent Assistant Secretary of the Treasury, followed, and gave his testimony very well and clearly. He testified to a good deal of merry surprise by his answer to the question of whether he was consulted as to the relevancy of Chandler's evidence, by stating it was the object of the prosecution to make it appear that Cooper was appointed in Chandler's place in the Treasury to co-operate with Thomas by honoring his warrants from the War Department. Chandler testified that no warrants could be issued by the Assistant Secretary without the cognizance and approval of the Secretary of the Treasury.

The last witness to-day was Mr. Tinker, who had charge of the telegraph office in the War Department, and sent a despatch from the President to Lewis E. Parsons, Governor of Alabama, enjoining upon him the duty of acting in strict accordance with the constitution. The counsel for the defense laughed a good deal over this makeshift to prove a "high crime and misdemeanor," but Butler himself seemed to appreciate the ridiculousness of the evidence, because he made a lame and blundering effort to give it a color of importance.

On the whole, the evidence of to-day, to any impartial observer, was very feeble and watery, and unless the Managers do better than they have hitherto done, they will denounce the whole thing as an unmitigated bore.

The Board of Managers on the part of the House of Representatives expect to close the examination of witnesses on the side of the prosecution to-morrow, unless some objections raised by the other side occasion unexpected delay. It is understood that as soon as they will have completed their testimony the Managers will make an effort to increase those of their number to take part in the argument. It is said they will ask for five, and probably the whole Board. If this be agreed to the entire counsel for the President will also participate. At present it appears that Mr. Curtis will open the case on the part of the defense. In the event of the Managers realizing their expectations of closing to-morrow the defense will make an effort to postpone further action until Monday next.

## PROCEEDINGS OF THE COURT.

NINTH DAY.

UNITED STATES SENATE CHAMBER.

WASHINGTON, April 2, 1868.

The Senate met at twelve o'clock and the chair was immediately vacated for the Chief Justice, who said, "The Sergeant-at-Arms will open the court by proclamation."

The Sergeant-at-Arms made proclamation in due form.

At ten minutes past twelve the Managers were announced and took their places, and immediately following a dozen members of the House of Representatives.

The Journal was then read.

Mr. DRANKS immediately after the reading of the journal was concluded, rose and said: "Mr. President, I wish to call the attention of the Senate to the fact that the President has not yet taken the oath of office."

The President then arose and took the oath of office.

all these questions the votes shall be without a division, unless the yeas and nays be demanded by one-fifth of the members or required by the presiding officer, when the yeas and nays shall be taken."

At the suggestion of Mr. DRANKS rule seven was read. As proposed to be amended it provides that the Chief Justice shall rule upon all questions of evidence and incidental questions, &c., in the first instance.

Mr. HENDERSON—I suppose by the rules it stands over for one day.

The CHIEF JUSTICE—If any Senator objects.

Mr. CONKLING—Under what rule?

A brief colloquy ensued between Messrs. HENDERSON and CONKLING, inaudible in the Reporters' Gallery.

Mr. STANLEY, of counsel for the President, then rose and said: "Mr. Chief Justice, before the Managers proceed with another witness we wish to recall for a moment Mr. Karsner."

Mr. BUTLER, of the Managers—I submit that if Mr. Karsner is to be recalled, the examination and cross-examination having been finished on both sides, he must be recalled as a witness of the respondent, and not the proper time to call him will be when he begins his case.

Mr. STANLEY—We will call him but for a moment.

The CHIEF JUSTICE (to Mr. Butler)—Have you any objection to his being called?

Mr. BUTLER—No, sir.

George Karsner took the stand again.

Question by Mr. STANLEY—Mr. Karsner, where did you stay that night on the 9th of March when you had this conversation with General Thomas?

A. I stayed at the house of Mr. Tanner.

TESTIMONY OF THOMAS W. FERRY, MEMBER OF CONGRESS.

Mr. Thomas W. Ferry, a member of Congress from Michigan, was next called, and, being sworn, was examined by Mr. BUTLER, as follows:—

Q. Were you present at the War Office on the morning of the 22d of February, when General Thomas came there? A. I was.

Q. At the time when some demand was made? A. Yes.

Q. State whether you paid attention to what was going on there, and whether you made any memorandum of it? A. I did pay attention, and I made a memorandum of the occurrences so far as I observed them.

Q. Have you that memorandum with you? A. I have.

Q. Please state, assisting your memory by that memorandum, what took place there, in the order, as well as you can, and as distinctly as you can? A. The memorandum covers the occurrences as distinctly as I can possibly state them; I wrote it immediately after the occurrence, and it is more accurate and perfect than I can state from memory.

Mr. BUTLER—Unless objected to, you may read it.

Mr. STANLEY—We shall make no objection.

The witness then read the memorandum as follows:—

WASHINGTON CITY, Feb. 22, 1868.

In the presence of Secretary Stanton, Judge Kelley, Mr. Moorehead, General Dodge, General Van Wyck, Mr. Hays, Mr. DeLong, Mr. Thomas, Mr. Clarke, At twenty-five minutes to twelve Adjutant General Thomas came to the office of the Secretary of War, and I followed him into his office.

General Thomas said, "I do not wish to disturb these gentlemen, and I will wait." The Secretary replied, "I will call you in a moment." General Thomas then said, "I will wait here and act as Secretary of War." Stanton—"You shall not, I order you to wait here and act as Secretary of War."

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Q. How early did you call? A. I called immediately.

Q. How early in the day? A. I think it was about ten o'clock.

Q. Who did you find in the President's room? A. I found the President alone.

Q. State as nearly as you can what took place there, in the order, as well as you can, and as distinctly as you can? A. I cannot undertake to state exactly; the President asked me if I recollected the conversation he had with me when I first took command of the Twelfth Infantry, and I said I could state it as distinctly as I could. He then asked what changes had been made; I told him no material changes, but as he had asked me to state it as distinctly as I could, I went on to state that in the fall six companies of the Twenty-ninth Infantry had been brought to this city to winter, but as an offset to them that the Twelfth Infantry had been detached to South Carolina on the requisition of the commander of that district; two companies of the Twelfth Infantry, however, remained in the city, and one of them, detached for the purpose of aiding in putting down the Fenian difficulties, had been returned to the command, and that although the numerical strength of the command was very much the same, growing out of the order reducing the Twelfth Infantry to the maximum of the war establishment, the President said, "I do not refer to these changes." I replied that if he would state to me the changes, I might be more explicit. He said, "I refer to the changes with a day or two."

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